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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/760,132	
	Filing Date	January 15, 2004	
	First Named Inventor	Stephen Pacetti	
	Group Art Unit	1773	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission (excluding references)	9	Attorney Docket Number	50623.00435

ENCLOSURES (check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Squire, Sanders & Dempsey L.L.P. Paul J. Meyer, Jr., Reg. No. 47,791
Signature	
Date	January 5, 2005

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: January 5, 2005			
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Examiner: Unassigned

Stephen Pacetti

Serial No. 10/760,132

Art Unit: 1773

Filed: January 15, 2004

Title: RATE-REDUCING MEMBRANE FOR RELEASE OF AN AGENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§1.97-1.98**

Dear Examiner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the references listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/966,787, filed September 27, 2001. Accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant reserves the right to dispute the listed documents as prior art during examination. Furthermore, Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

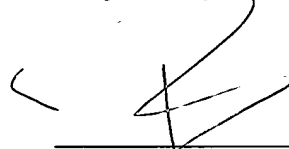
The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Information Disclosure Statement is being filed before receiving the first Office Action. Therefore, no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required. However, the Commissioner is authorized to charge any deficiencies or other amounts due to Deposit Account No. **07-1850**.

Date: January 5, 2005

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Meyer, Jr.", is written over a horizontal line.

Paul J. Meyer, Jr.
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Reg. No. 47,791

FORM PTO-1449 (Modified)		US DEPARTMENT OF COMMERCE		Docket No. 50623.00435	Application No. 10/760,132
US Patent and Trademark Office				Applicant Stephen D. Pacetti	
INFORMATION DISCLOSURE CITATION in an Application				Filing Date January 15, 2004	Group Art Unit 1773

U.S. PATENT DOCUMENTS

Examiner Initial	Ref. No.	Document Number	Date of Patent	Name	Class	Subclass	Filing Date if Appropriate
	A1	3,828,777	8/13/74	Ness	424	427	
	A2	4,459,252	7/10/84	MacGregor	264	46.9	
	A3	4,733,665	3/29/88	Palmaz	128	343	
	A4	4,800,882	1/31/89	Gianturco	128	343	
	A5	4,886,062	12/12/89	Wiktor	128	343	
	A6	4,977,901	12/18/90	Ofstead	128	772	
	A7	5,059,211	10/22/91	Stack et al.	606	198	
	A8	5,112,457	5/12/92	Marchant	204	165	
	A9	5,163,952	11/17/92	Froix	623	1	
	A10	5,306,286	4/26/94	Stack et al.	606	198	
	A11	5,328,471	7/12/94	Slepian	604	101	
	A12	5,455,040	10/3/95	Marchant	424	426	
	A13	5,464,650	11/7/95	Berg et al.	427	2.30	
	A14	5,527,337	6/18/96	Stack et al.	606	198	
	A15	5,578,073	11/26/96	Haimovich et al.	623	1	
	A16	5,605,696	2/25/97	Eury et al.	424	423	
	A17	5,628,730	5/13/97	Shapland et al.	604	21	
	A18	5,633,000	5/27/97	Grossman et al.	424	422	
	A19	5,667,767	9/16/97	Greff et al.	424	9.411	
	A20	5,670,558	9/23/97	Onishi et al.	523	112	
	A21	5,700,286	12/23/97	Tartaglia et al.	623	1	
	A22	5,713,949	2/3/98	Jayaraman	623	1	
	A23	5,716,981	2/10/98	Hunter et al.	514	449	
	A24	5,766,710	6/16/98	Turnlund et al.	428	36.1	
	A25	5,769,883	6/23/98	Buscemi et al.	623	1	
	A26	5,800,392	9/1/98	Racchini	604	96	
	A27	5,824,049	10/20/98	Ragheb et al.	623	1	

	A28	5,830,178	11/3/98	Jones et al.	604	49	
	A29	5,837,313	11/17/98	Ding et al.	427	2.21	
	A30	5,843,172	12/1/98	Yan	623	1	
	A31	5,851,508	12/22/98	Greff et al.	424	9.411	
	A32	5,858,746	1/12/99	Hubbell et al.	435	177	
	A33	5,865,814	2/2/99	Tuch	604	265	
	A34	5,873,904	2/23/99	Ragheb et al.	623	1	
	A35	5,945,115	8/31/99	Dunn et al.	424	422	
	A36	5,971,954	10/26/99	Conway et al.	604	96	
	A37	5,980,928	11/9/99	Terry	424	427	
	A38	5,980,972	11/9/99	Ding	427	2.24	
	A39	6,010,530	1/4/00	Goicoechea	623	1	
	A40	6,015,541	1/18/00	Greff et al.	424	1.25	
	A41	6,042,875	3/28/00	Ding et al.	427	2.24	
	A42	6,051,648	4/18/00	Rhee et al.	525	54.1	
	A43	6,056,993	5/2/00	Leidner et al.	427	2.25	
	A44	6,060,451	5/9/00	DiMaio et al.	514	13	
	A45	6,080,488	6/27/00	Hostettler et al.	428	423.3	
	A46	6,096,070	8/1/00	Ragheb et al.	623	1	
	A47	6,099,562	8/8/00	Ding et al.	623	1.46	
	A48	6,110,188	8/29/00	Narciso, Jr.	606	153	
	A49	6,113,629	9/5/00	Ken	623	1.1	
	A50	6,120,536	9/19/00	Ding et al.	623	1.43	
	A51	6,120,847	9/19/00	Yang et al.	427	335	
	A52	6,120,904	9/19/00	Hostettler et al.	428	423.3	
	A53	6,121,027	9/19/00	Clapper et al.	435	180	
	A54	6,129,761	10/10/00	Hubbell	623	11	6/7/95
	A55	6,153,252	11/28/00	Hossainy et al.	427	2.3	4/19/99
	A56	6,165,212	12/26/00	Dereume et al.	623	1.13	6/28/99
	A57	6,168,801	1/2/01	Heil et al.	424	426	3/19/99
	A58	6,206,915	3/27/01	Fagan et al.	623	1.42	9/29/98
	A59	6,258,121	7/10/01	Yang et al.	623	1.46	7/2/99
	A60	6,287,628	9/11/01	Hossainy et al.	427	2.3	9/3/99

	A61	6,379,381	4/30/02	Hossainy et al.	623	1.42	9/3/99
	A62	6,503,556	1/7/03	Harish et al.	427	2.24	12/28/00

U.S. PATENT APPLICATION PUBLICATION DOCUMENTS

Examiner Initial	Ref. No.	Document Number	Date of Publication	Name	Class	Subclass	Filing Date if Appropriate
	A63	2001/0014717	8/16/01	Hossainy et al.	525	60	12/28/00
	A64	2001/0018469	8/30/01	Chen et al.	523	121	12/28/00
	A65	2003/0073961	4/17/03	Happ	604	274	9/28/01

FOREIGN PATENT DOCUMENTS

Examiner Initial	Ref. No.	Document Number	Date of Publication	Country	Class	Subclass	Translation	
							Yes	No
	B1	JP 11299901	11/2/99	Japan (Abstract)				
	B2	EP 0 301 856	2/1/89	EPO				
	B3	EP 0 627 226	12/7/94	EPO				
	B4	EP 0 665 023	8/2/95	EPO				
	B5	EP 0875218	4/11/98	EPO				
	B6	EO 0 850 651	7/1/98	EPO				
	B7	EP 0 970 711	1/12/00	EPO				
	B8	EP 1 023 879	8/2/00	EPO				
	B9	WO 90/01969	3/8/90	PCT				
	B10	WO 91/12846	9/5/91	PCT				
	B11	WO 96/40174	12/19/96	PCT				
	B12	WO 97/45105	12/4/97	PCT				
	B13	WO 98/23228	6/4/98	PCT				
	B14	WO 99/01118	1/14/99	PCT				
	B15	WO 99/16386	4/8/99	PCT				
	B16	WO 99/63981	12/16/99	PCT				
	B17	WO 00/02599	1/20/00	PCT				
	B18	WO 00/12147	3/9/00	PCT				
	B19	WO 00/64506	11/2/00	PCT				
	B20	WO 01/01890	1/11/01	PCT				
	B21	WO 01/45763	6/28/01	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages etc.)

	C1	Barath et al., <i>Low Dose of Antitumor Agents Prevents Smooth Muscle Cell Proliferation After Endothelial Injury</i> ; JACC 13(2):252A (Abstract) (Feb. 1989).
	C2	Burrell, <i>Solubility Parameter Values</i> , Inmont Corp., pp. IV-337-359.

C3	Dichek et al., <i>Seeding of Intravascular Stents with Genetically Engineered Endothelial Cells</i> , Circ. 80(5):1347-1353 (1989).
C4	Matsumaru et al., <i>Emboic Materials For Endovascular Treatment of Cerebral Lesions</i> ; J. Biomater. Sci. Polymer Edn, 8(7):555-569 (1997).
C5	Miyazaki et al., <i>Antitumor Effect of Implanted Ethylene-Vinyl Alcohol Copolymer Matrices Containing Anticancer Agents on Ehrlich Ascites Carcinoma and P388 Leukemia in Mice</i> , Chem. Pharm. Bull., 33(6):2490-2498 (1985).
C6	Miyazawa et al., <i>Effects of Pemirolast and Tranilast on Intimal Thickening After Arterial Injury in the Rat</i> , J. Cardiovasc. Pharmacol., pp. 157-162 (1997).
C7	Ohsawa et al., <i>Preventive Effects of an Antiallergic Drug, Pemirolast Potassium, on Restenosis After Percutaneous Transluminal Coronary Angioplasty</i> , American Heart Journal; pp. 1081-1087 (1998).
C8	Shigeno, <i>Prevention of Cerebrovascular Spasm By Bosentan, Novel Endothelin Receptor</i> , Chemical Abstract 125:212307 (1996).
EXAMINER	
DATE CONSIDERED	
EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	